

Application No.: 09/665,065

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Docket No.: 38898-172161

REMARKS

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-59 are pending in the application, with claims 1, 8, and 38 being the independent claims.

Applicants have amended the independent claims above to now even more clearly demonstrate how Applicants' claimed invention is distinguished from the applied reference. These changes are believed to introduce no new matter, and are designed to now even more clearly claim the invention. Entry of the amendments is respectfully requested.

Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Examiner Interview

Applicants thank the Examiner for the telephonic interview of September 6, 2006. Applicants explained the nature and background of the invention, in particular, that a file lifecycle policy is a framework of processes, classifications of data and storage resources, and the relationships among them, beyond mere archiving of files. Further, the applied reference was discussed in the context of claim 1. It was agreed that the applied reference does not teach the invention, and that some amendment is needed to clarify the nature of the "lifecycle policies" recited in the claims.

Rejections under 35 U.S.C. § 112

In the Action on pages 2-3, sections 4-15, claims 14-37 and 47-59 are rejected under 35 U.S.C. § 112 second paragraph as being indefinite for various reasons. Claims 14, 16, 18, 22, 26-29, 33, 37, 47, 53, and 55-59 are amended to clarify which "policies" are being referred to and to correct improper antecedent basis. Applicants therefore respectfully submit that claims 14-37 and 47-59 are no longer indefinite and request that the rejection be withdrawn.

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COPY***Rejections under 35 U.S.C. § 102***

In the Action on pages 4-7, sections 17-31, claims 1-13 and 38-46 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,266,679 to Szalwinski et al (hereinafter "Szalwinski"). Applicants respectfully traverse the rejection.

As amended, claim 1 recites a computer-implemented method of managing a file lifecycle, the method comprising the steps of storing data on a storage medium comprising: *associating a set of lifecycle policies with a file, wherein said lifecycle policies relate to aspects of file classification and file disposition including at least two of: file creation, file retention, file reference, file non-use, file security, file protection, file preservation, file storage locations within a storage medium, cost effective storage of a file, and/or file expiration;* storing said file on said storage medium accessible by a computer according to said set of lifecycle policies; *automatically determining from the associated lifecycle policies whenever said file is to be moved;* and, automatically moving said file according to the associated lifecycle policies to another storage location within said storage medium or within a different storage medium whenever the associated lifecycle policies determine that said file is to be moved. (Emphasis added). Szalwinski fails to teach or suggest at least three elements of claim 1.

The Action asserts that Szalwinski teaches or discloses a set of lifecycle policies relating to file storage locations within said storage medium. This is incorrect. Szalwinski does not teach or disclose either lifecycle policies, wherein said lifecycle policies relate to aspects of file classification and file disposition including at least two of: file creation, file retention, file reference, file non-use, file security, file protection, file preservation, file storage locations within a storage medium, cost effective storage of a file, and/or file expiration, or associating a set of lifecycle policies with a file.

First, Szalwinski fails to teach lifecycle policies, wherein said lifecycle policies relate to aspects of file classification and file disposition including at least two of: file creation, file retention, file reference, file non-use, file security, file protection, file preservation, file storage locations within a storage medium, cost effective storage of a file, and/or file expiration. Instead, Szalwinski teaches a method of archiving and retrieving archived data using a database to store file location

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information. See, e.g., Szalwinski Abstract. Szalwinski does not teach any policy relating to the initial archiving of a file, only stating that a file is received from a database when it is to be archived. Szalwinsky, col. 4, lines 21-23. Regarding moving an archived file to a long term backup directory, the only "policy" taught by Szalwinski is to move the archived file when it has achieved a maximum residency time. Szalwinski col. 5, lines 39-42. Any "policy" for archiving that Szalwinski may teach is not "a lifecycle polic[y] relat[ing] to aspects of file classification and file disposition including at least two of: file creation, file retention, file reference, file non-use, file security, file protection, file prscrvation, file storage locations within a storage medium, cost effective storage of a file, and/or file expiration."

Second, Szalwinski does not teach or suggest associating a set of lifecycle policies with a file. At best, Szalwinski teaches one archiving "policy" (i.e. archive a file when it has achieved a maximum age or residency time), but does not associate that "policy" with a file. Szalwinski does not disclose how that "policy" is applied, only stating that files to be archived are received from a primary database. Szalwinsky, col. 4, lines 21-23. There is no teaching or suggestion that the "policy" of Szalwinski is associated with a file. In contrast, embodiments of the present invention associate a set of lifecycle policies with a file in a cabinet. See, e.g. specification, page 7, line 25-page 8, line 8. Some examples of file lifecycle policies that relate to the file storage locations are illustrated in the specification, for example, beginning at page 7, line 23 through page 10.

Third, Szalwinski fails to teach automatically determining from the associated lifecycle policies whenever said file is to be moved. Instead, Szalwinski teaches only moving a file to an archive subdirectory or to a back-up storage medium based only on the length of time a file has remained in a directory. Szalwinski, col. 5, lines 10-19. Szalwinski also teaches restoring an archived file, but does not teach or suggest how the determination is made to restore the file, and makes no reference to an automatic determination based on a lifecycle policy. There is no teaching or suggestion in Szalwinski that lifecycle policies are used to automatically determine whenever a file is to be moved. In contrast, filcs associated with a lifecycle policy according to claim 1 may be moved whenever the lifecycle policy determines that the file should be moved. See specification, e.g., p. 8, lines 8-13; p.9, lines 1-9.

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Therefore, Szalwinski fails to teach at least three elements of claim 1. Applicants respectfully request that the rejection be withdrawn and claim 1 be allowed.

Claims 2-7 depend from claim 1 and are allowable at least for being dependent on an allowable claim.

Claims 8 and 38, as amended, recite a similar element as claim 1, and are allowable for at least the reasons given above for claim 1.

Further, claims 14-37 and 47-59 now depend from claim 1, and are allowable for at least the reasons given above for claim 1.

Claims 9-13 and 39-46 depend from claims 8 and 38, respectively, and are allowable at least for being dependent on an allowable claim.

Rejections under 35 U.S.C. § 103

In the Action on page 8, sections 33-34, claims 14-37 and 47-59 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Szalwinski in view of U.S. Patent No. 6,240,421 to Stolarz (hereinafter "Stolarz"). Applicants respectfully traverse the rejection.

Claims 14-37 and 47-59 depend from claim 1, which is allowable as discussed above, and are allowable at least for being dependent on an allowable claim.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

FROM VENABLE LLP VIENNA VA

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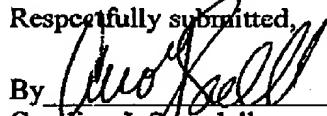
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Prompt and favorable consideration of this Amendment is respectfully requested.

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